

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

STIEFEL LABORATORIES, INC.,)

Plaintiff,)

v.)

KV PHARMACEUTICAL COMPANY,)

Defendant.)

Civil Action No. 09-376 (SLR)

STIPULATION OF DISMISSAL PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(ii)

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiff Stiefel Laboratories, Inc. ("Stiefel") and Defendant KV Pharmaceutical Company ("KV"), by and through their respective counsel, hereby stipulate and agree that all claims and counterclaims asserted by Stiefel against KV and by KV against Stiefel are dismissed with prejudice, with each party to bear its own costs, expenses and attorneys' fees.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

RICHARDS, LAYTON & FINGER, P.A.

/s/ Jack B. Blumenfeld

/s/ Chad M. Shandler

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Attorneys for KV Pharmaceutical Company

SO ORDERED this __ day of October, 2009.

District Judge